

## RESOLUTION NO. A-\_\_\_\_\_

## SPECIAL PERMIT NO. 1852

1 WHEREAS, LCV. Inc. has submitted an application designated as Special  
2 Permit No. 1852 for authority to sell alcoholic beverages for consumption off the premises  
3 at Village Market in Indian Village Shopping Center at 3211 South 13th Street, legally  
4 described as:

5 Lots 1 - 5, Block 2, Lots 1 - 5, Block 3 except the south 5 feet  
6 of Lot 5, and the southeastern corner of Lot 5 for street right-  
7 of-way, vacated Gave Street, and Lot 73 of Irregular Tracts in  
8 the Northeast Quarter of Section 2, Township 9 North, Range  
9 6 East, Lincoln, Lancaster County, Nebraska; general location  
10 of the premises is: commencing at the northwest corner of  
11 said Lot 73; thence south on the west line of said Lot 73, a  
12 distance of 110.0 feet; thence east 90 degrees, a distance of  
13 25 feet 0 inches to the point of beginning; thence continuing  
14 east 90 degrees, a distance of 80 feet 0 inches; thence south  
15 90 degrees, a distance of 100 feet 6 inches; thence west 90  
16 degrees, a distance of 80 feet 0 inches; thence north 90  
17 degrees, a distance of 100 feet 0 inches to the point of  
18 beginning, containing an area of 8.040 square feet, more or  
19 less; and

20 WHEREAS, the real property adjacent to the area included within the site  
21 plan for this permit to sell alcoholic beverages for consumption off the premises will not be  
22 adversely affected; and

23 WHEREAS, said site plan together with the terms and conditions hereinafter  
24 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
25 Code to promote the public health, safety, and general welfare.

26 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
27 Lincoln, Nebraska:

1           That the application of LCV, Inc., hereinafter referred to as "Permittee", to sell  
2   alcoholic beverages for consumption off the premises on property legally described above  
3   be and the same is hereby granted under the provisions of Section 27.63.685 of the  
4   Lincoln Municipal Code upon condition that operation of said licensed premises be in strict  
5   compliance with said application, the site plan, and the following additional express terms,  
6   conditions, and requirements:

7           1.     This permit approves the sale of alcoholic beverages for consumption  
8   off the premises at 3001 South 13th Street.

9           2.     The requirement of § 27.63.685(c) of the Lincoln Municipal Code that  
10   the licensed premises must be located no closer than 100 feet from a residential district,  
11   or residential use is hereby waived.

12          3.     The requirement of § 27.63.685(g) of the Lincoln Municipal Code that  
13   no access doors to the premises shall face any residential districts if such doors are within  
14   150 feet of the residential district is hereby waived for the door on the west side of the  
15   building which is barricaded and not used.

16          4.     The site plan approved by this permit shall be the basis for all  
17   interpretations of setbacks, yards, location of parking and circulation elements, and similar  
18   matters.

19          5.     The terms, conditions, and requirements of this resolution shall be  
20   binding and obligatory upon the Permittee, his successors, and assigns. The building  
21   official shall report violations to the City Council which may revoke the special permit or  
22   take such other action as may be necessary to gain compliance.

23          6.     The Permittee shall sign and return the City's letter of acceptance to

1 the City Clerk within 30 days following approval of the special permit, provided, however,  
2 said 30-day period may be extended up to six months by administrative amendment. The  
3 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
4 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
5 Permittee.

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Staff Review Completed:

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Administrative Assistant